

U.S. BANKRUPTCY COURT WESTERN DISTRICT OF TEXAS

NOTICE

AUTOMATIC ADJUSTMENT OF CERTAIN DOLLAR AMOUNTS IN THE BANKRUPTCY CODE AND OFFICIAL BANKRUPTCY FORMS EFFECTIVE APRIL 1, 2010

On **April 1, 2010**, automatic adjustments to the dollar amounts stated in various provisions of the Bankruptcy Code and one provision of Title 28 of the United States Code became effective. These amended amounts will apply to cases filed on or after April 1, 2010. Attached is a chart showing the affected sections of the Bankruptcy Code and Title 28 and both the current and the revised dollar amounts in those sections.

Seven of the Official Bankruptcy Forms contain reference to several of the affected dollar amounts. These forms will be amended April 1, 2010, and will apply to cases filed on or after that date.

- Official Form 1, Voluntary Petition
- Official Form 6C, Schedule of Property Claimed as Exempt
- Official Form 6E, Schedule of Creditors Holding Claims Entitled to Priority
- Official Form 7, Statement of Financial Affairs
- Official Form 10, Proof of Claim
- Official Form 22A, Statement of Current Monthly Income and Means Test Calculation (Chapter 7)
- Official Form 22C, Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13)

The revised forms can be found on the Judiciary's website at:
<http://www.uscourts.gov/bankform/index.html>

Affected Sections of Title 28 U.S.C. and the Bankruptcy Code	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
28 U.S.C.		
1409(b) - a trustee may commence a proceeding arising in or related to a case to recover (1) - money judgment of or property worth less than (2) - a consumer debt less than (3) - a non consumer debt against a non insider less than	\$1,100 \$16,425 \$10,950	\$1,175 \$17,575 \$11,725
11 U.S.C.		
Section 101(3) - definition of assisted person	\$164,250	\$175,750
Section 101(18) - definition of family farmer	\$3,544,525 (each time it appears)	\$3,792,650 (each time it appears)
101(19A) - definition of family fisherman	\$1,642,500 (each time it appears)	\$1,757,475 (each time it appears)
101(51D) - definition of small business debtor	\$2,190,000 (each time it appears)	\$2,343,300 (each time it appears)
Section 109(e) - allowable debt limits for individual filing bankruptcy under chapter 13	\$336,900 (each time it appears) \$1,010,650 (each time it appears)	\$360,475 (each time it appears) \$1,081,400 (each time it appears)

Affected Sections of Title 28 U.S.C. and the Bankruptcy Code	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
11 U.S.C. (Continued)		
Section 303(b) - minimum aggregate claims needed for the commencement of involuntary chapter 7 or chapter 11 bankruptcy		
(1) - in paragraph (1)	\$13,475	\$14,425
(2) - in paragraph (2)	\$13,475	\$14,425
Section 507(a) - priority expenses and claims		
(1) - in paragraph (4)	\$10,950	\$11,725
(2) - in paragraph (5)	\$10,950	\$11,725
(3) - in paragraph (6)	\$5,400	\$5,775
(4) - in paragraph (7)	\$2,425	\$2,600
Section 522(d) - value of property exemptions allowed to the debtor		
(1) - in paragraph (1)	\$20,200	\$21,625
(2) - in paragraph (2)	\$3,225	\$3,450
(3) - in paragraph (3)	\$525	\$550
	\$10,775	\$11,525
(4) - in paragraph (4)	\$1,350	\$1,450
(5) - in paragraph (5)	\$1,075	\$1,150
	\$10,125	\$10,825
(6) - in paragraph (6)	\$2,025	\$2,175
(7) - in paragraph (8)	\$10,775	\$11,525
(8) - in paragraph (11)(D)	\$20,200	\$21,625

Affected Sections of Title 28 U.S.C. and the Bankruptcy Code	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
11 U.S.C. (Continued)		
522(f)(3) - exception to lien avoidance under certain state laws	\$5,475	\$5,850
522(f)(4)- items excluded from definition of household goods for lien avoidance purposes	\$550 (each time it appears)	\$600 (each time it appears)
522(n) - maximum aggregate value of assets in individual retirement accounts exempted	\$1,095,000	\$1,171,650
522(p) - qualified homestead exemption	\$136,875	\$146,450
522(q) - state homestead exemption	\$136,875	\$146,450
523(a)(2)(C) - exceptions to discharge in subclause (i)(I) - consumer debts, incurred \leq 90 days before filing owed to a single creditor in the aggregate in subclause (i)(II) - cash advances incurred \leq 70 days before filing in the aggregate	 \$550 \$825	 \$600 \$875
541(b)- property of the estate exclusions (1) - in paragraph (5)(C) - education IRA funds in the aggregate (2) - in paragraph (6)(C) - pre-purchased tuition credits in the aggregate	 \$5,475 \$5,475	 \$5,850 \$5,850
547(c)(9) - preferences, trustee may not avoid a transfer if, in a case filed by a debtor whose debts are not primarily consumer debts, the aggregate value of property is less than	\$5,475	\$5,850

Affected Sections of Title 28 U.S.C. and the Bankruptcy Code	Dollar Amount to be Adjusted	New (Adjusted) Dollar Amount
11 U.S.C. (Continued)		
707(b) - dismissal of a case or conversion to a case under chapter 11 or 13 (means test)		
(1) - in paragraph (2)(A)(i)(I)	\$6,575	\$7,025
(2) - in paragraph (2)(A)(i)(II)	\$10,950	\$11,725
(3) - in paragraph (2)(A)(ii)(IV)	\$1,650	\$1,775
(4) - in paragraph (2)(B)(iv)(I)	\$6,575	\$7,025
(5) - in paragraph (2)(B)(iv)(II)	\$10,950	\$11,725
(6) - in paragraph (5)(B)	\$1,100	\$1,175
(7) - in paragraph 6(C)	\$575	\$625
(8) - in paragraph 7(A)	\$575	\$625
1322(d) - contents of chapter 13 plan, monthly income	\$575 (each time it appears)	\$625 (each time it appears)
1325(b) - chapter 13 confirmation of plan, disposable income	\$575 (each time it appears)	\$625 (each time it appears)
1326(b)(3) - payments to former chapter 7 trustee	\$25	\$25